
A BILL FOR AN ACT

MAKING APPROPRIATIONS FOR CLAIMS AGAINST THE STATE, ITS
OFFICERS, OR ITS EMPLOYEES.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:

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PART I

SECTION 1. The following sums or so much thereof as may be necessary for fiscal year 2013-2014 are appropriated out of the general revenues of the State of Hawaii to the department of the attorney general for the purpose of satisfying claims for legislative relief as to the following named persons, firms, corporations, and entities, for claims against the State or its officers or employees for the overpayment of taxes, or for refunds, reimbursements, payments of judgments or settlements, or other liabilities, in the amounts set forth opposite their names:

JUDGMENTS AGAINST THE STATE AND SETTLEMENTS OF CLAIMS:	AMOUNT
1. ALOHA TOWER DEVELOPMENT CORPORATION	
In the Matter of the Application of Honolulu Construction and Draying Company, Limited v. State of Hawaii, et al., Land Court Application No. 787, Hawaii Supreme Court No. SCWC-30484	\$ 165,929.42 Judgment

1	SUBTOTAL:	\$	165,929.42
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3	2. DEPARTMENT OF ACCOUNTING AND GENERAL SERVICES:		
4			
5	Claim by Estria Foundation	\$	18,000.00
6			Settlement
7			
8			
9	SUBTOTAL:	\$	18,000.00
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11	3. DEPARTMENT OF EDUCATION:		
12			
13	Barnett v. State of Hawaii, et al.	\$	41,511.54
14	Civil No. 10-1-0236, Fifth Circuit		Judgment
15			
16	Garner, et al. v. State of Hawaii, et al.	\$	132,819.00
17	Civil No. 03-1-000305, First Circuit		Settlement
18			
19	In the Matter of the Arbitration	\$	44,951.43
20	Between Hawaii State Teachers Association		Judgment
21	and Na Wai Ola (Waters of Life) Public		
22	Charter School, State of Hawaii,		
23	Grievance of Ginger Krauss		
24			
25	Javier, et al. v. State of Hawaii, et al.	\$	124,169.60
26	Civil No. 07-1-0160(1), Second Circuit		Settlement
27			
28	Chang v. Matayoshi, et al.	\$	63,333.34
29	Civil No. 13-00004 JMS BMK, USDC		Settlement
30			
31	Duvauchelle-Puu v. Matayoshi, et al.	\$	63,333.33
32	Civil No. 13-00073 JMS BMK, USDC		Settlement
33			
34	Lopez v. Matayoshi, et al.	\$	63,333.33
35	Civil No. 13-00134 JMS BMK, USDC		Settlement
36			
37			
38	SUBTOTAL:	\$	533,451.57
39			
40	4. DEPARTMENT OF HEALTH		
41			
42	Johnson v. Rainbow Rehabilitation, et al.	\$	221,080.66
43	Civil No. 07-1-1855-10, First Circuit		Judgment



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3	SUBTOTAL:	\$	221,080.66
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5	5. DEPARTMENT OF HUMAN SERVICES:		
6			
7	Louis, et al. v. State of Hawaii, et al.	\$	180,000.00
8	Civil No. 05-1-0935-05, First Circuit		Settlement
9			
10	Kolio, et al. v. State of Hawaii, et al.	\$	20,000.00
11	Civil No. 11-00266 LEK RLP, USDC		Settlement
12			
13	Rhodes v. State of Hawaii, et al.	\$	40,000.00
14	Civil No. 09-1-2146-09, First Circuit		Settlement
15			
16			
17	SUBTOTAL:	\$	240,000.00
18			
19	6. DEPARTMENT OF LABOR AND INDUSTRIAL RELATIONS:		
20			
21	Hawaii Pacific Health, et al. v. Dwight	\$	89,645.15
22	Takamine, Civil No. 11-00706 SOM/RLP, USDC		Settlement
23			
24			
25	SUBTOTAL:	\$	89,645.15
26			
27	7. DEPARTMENT OF LAND AND NATURAL RESOURCES:		
28			
29	Coziar v. State of Hawaii	\$	30,000.00
30	Civil No. 13-1-0018(1), Second Circuit		Settlement
31			
32	Imig v. State of Hawaii, et al.	\$	60,000.00
33	Civil No. 13-1-2995-11 (ECN), First Circuit		Settlement
34			
35	In the Matter of the Arbitration Between	\$	44,324.00
36	Central Supply, Inc., et al. v. State of		Settlement
37	Hawaii, et al., S.P. No. 12-1-0029, and		
38	In the Matter of the Arbitration Between		
39	State of Hawaii, et al. v. Yamada		
40	Consolidated, Inc., et al., S.P. No.		
41	13-1-0035		
42			
43			



1	SUBTOTAL:	\$	134,324.00
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3	8. DEPARTMENT OF PUBLIC SAFETY:		
4			
5	Buan v. State of Hawaii, et al.	\$	50,000.00
6	Civil No. 11-1-1222-06, First Circuit		Settlement
7			
8	Fontanilla v. State of Hawaii, et al.	\$	35,000.00
9	Civil No. 12-00641 BMK, USDC		Settlement
10			
11	Kiyabu v. Frank, et al.	\$	80,000.00
12	Civil No. 13-00582, USDC		Settlement
13			
14	Steed v. State of Hawaii, et al.	\$	25,000.00
15	Civil No. 11-1-1122-06, First Circuit		Settlement
16			
17			
18	SUBTOTAL:	\$	190,000.00
19			
20	9. OFFICE OF THE GOVERNOR:		
21			
22	Oahu Publications, Inc., dba Honolulu	\$	70,272.66
23	Star-Advertiser v. Abercrombie,		Judgment
24	Civil No. 11-1-1871-08 KKS, First Circuit		
25			
26			
27	SUBTOTAL:	\$	70,272.66
28			
29	10. MISCELLANEOUS CLAIMS:		
30			
31	Aimee Clay	\$	497.48
32			
33	Thomas K. Nagano	\$	222.96
34			
35	Yoshikatsu Asano	\$	1,939.00
36			
37	Bruce A. Menin	\$	421,346.13
38			
39	Marie-Gertrude N. Leopoldo	\$	417.00
40			
41	Billing Dispute Between the Department of	\$	67,000.00
42	Education and Automated Health Care		
43	Solutions/Prescription Partners		



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2		
3	SUBTOTAL:	\$ 491,422.57
4		
5	Total (SECTION 1):	\$ 2,154,126.03

6 The sums appropriated shall be expended by the department
7 of the attorney general for the purposes of this Act.

8 **PART II**

9 SECTION 2. The following sums or so much thereof as may be
10 necessary for fiscal year 2013-2014 are appropriated out of the
11 state highway fund for the purpose of satisfying claims for
12 legislative relief as to the following named persons, for claims
13 against the State or its officers or employees for payments of
14 judgments or settlements, or other liabilities, in the amount
15 set forth opposite their names:

16	JUDGMENTS AGAINST THE STATE	AMOUNT
17	AND SETTLEMENTS OF CLAIMS:	
18		
19	DEPARTMENT OF TRANSPORTATION, HIGHWAYS DIVISION:	
20		
21	Adams, et al. v. Yokooji, et al.	\$ 25,000.00
22	Civil No. 07-1-1567, First Circuit	Settlement
23		
24	Booth v. State of Hawaii, et al.	\$ 65,000.00
25	Civil No. 12-1-0262, Fifth Circuit	Settlement
26	Nakandakare, et al. v. State of Hawaii,	\$ 32,500.00
27	et al.	Settlement
28	Civil No. 11-1-1740-08, First Circuit	
29		
30	Shaya, et al. v. Franco, et al.	\$ 700,000.00
31	Civil No. 11-1-0551, Second Circuit	Settlement
32		



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2 SUBTOTAL: \$ 822,500.00
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4 TOTAL (SECTION 2): \$ 822,500.00
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6 The sums appropriated shall be expended by the department
7 of transportation, highways division, for the purposes of this
8 Act.

9 **PART III**

10 SECTION 3. The sums hereinabove may be paid to the
11 respective persons, or for the satisfaction or settlement of the
12 respectively identified cases, and in several amounts
13 hereinabove set forth or in lesser amounts deemed appropriate,
14 upon checks issued by the comptroller; provided departments
15 shall obtain the approval of the attorney general before payment
16 of any claim can be made.

17 SECTION 4. Notwithstanding the sums hereinabove stated as
18 interest upon judgments against the State, payment of interest
19 shall be limited to the period from the date of judgment, if
20 applicable, to thirty days after the effective date of this Act,
21 as provided in section 662-8, Hawaii Revised Statutes, for those
22 cases to which the statute applies.

1 SECTION 5. All unexpended and unencumbered balances of the
2 appropriations made in this Act as of the close of business on
3 June 30, 2015, shall lapse.

4 SECTION 6. If any provision of this Act, or the
5 application thereof to any person or circumstance is held
6 invalid, the invalidity does not affect other provisions or
7 applications of the Act, which can be given effect without the
8 invalid provision or application, and to this end the provisions
9 of this Act are severable.

10 SECTION 7. This Act shall take effect upon its approval.



S.B. NO. 2246
S.D. 2
H.D. 2
C.D. 1

Report Title:

Claims Against the State; Appropriations

Description:

Makes appropriations for claims against the State, its officers, and its employees. (CD1)

The summary description of legislation appearing on this page is for informational purposes only and is not legislation or evidence of legislative intent.

